

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF DELAWARE

DAVID McKINNEY, individually,)	
ANITA McKINNEY, individually, h/w,)	
)	
Plaintiffs,)	
)	C.A. NO. 06C-208-SLR
)	
v.)	
)	
PAUL J. MELINARI, individually, and)	
FINANCIAL SERVICE VEHICLE TRUST,)	
a foreign corporation,)	
)	
Defendants.)	

MOTION TO EXTEND DISCOVERY DEADLINES

Plaintiff hereby moves this Honorable court for an Order extending the amount of time in which all parties have to respond to discovery and to identify and obtain expert reports.

1. Plaintiffs filed their Complaint on March 30, 2006 and this is an action arising out of an auto accident.

2. The Court issued a Scheduling Order on June 19, 2006 stating that reports from retained experts under Rule 26(a)(2) on issues for which any party has the burden of proof due:

- i. By Plaintiffs on November 1, 2006
- ii. By Defendants January 1, 2007
- iii. All rebuttal expert reports due by December 15, 2006
- iv. All discovery shall be commenced in time to be completed by February 1, 2007.

3. The grounds for this Motion are that Plaintiff, Anita McKinney, was forced to undergo emergency surgery for a cancerous condition on two separate occasions, which was unrelated to the instant matter, and her accident-related treatment was put on hold while she was treated for the unrelated condition.

4. Plaintiffs now respectfully request that the Court issue an Order extending the discovery deadlines as follows:

- i. Expert reports due by Plaintiffs February 15, 2007
- ii. Expert reports due by Defendants on March 28, 2007
- iii. All rebuttal expert reports due April 15, 2007
- iv. All discovery shall be commenced in time to be completed by April 30, 2007.

5. Plaintiff's counsel has conferred with defense counsel who has no objection to this Motion.

WHEREFORE, Counsel for Plaintiffs respectfully requests an extension of time to extend the discovery deadlines in this matter, as set out herein.

DAVID P. CLINE, P.A.

BY: /s/ David P. Cline, Esquire
DAVID P. CLINE, ESQUIRE (Bar #: 2681)
1300 N. Market Street, Suite 700
P.O. Box 33
Wilmington, DE 19899-0033
(302) 529-7848
Attorney for Plaintiffs

DATED: 1/19/07

BY: _____
J.

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NOTICE OF SERVICE

I, DAVID P. CLINE, Esquire, hereby certify that on this 19th day of January, 2007, I had electronically filed and served via PACER CM/ECF the **Plaintiff's Motion to Extend Discovery Deadlines** to the following:

Michael A. Pedicone, Esquire (#: 2424)
Michael A. Pedicone, P.A.
109 West 7th Street
P.O. Box 1395
Wilmington, DE 19899-1395
(302) 652-7850
Attorney for Defendants

DAVID P. CLINE, P.A.

BY: /s/ David P. Cline, Esquire
DAVID P. CLINE, ESQUIRE (Bar #: 2681)
1300 N. Market Street, Suite 700
P.O. Box 33
Wilmington, DE 19899-0033
(302) 529-7848
Attorney for Plaintiffs

Dated: January 19, 2007